

January 11, 2019

Mr. Jeffrey Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority
10 Franklin Square
New Britain, CT 06051

RE: Docket No. 18-08-33, PURA Implementation of Section 7 of Public Act 18-50

Dear Mr. Gaudiosi,

We hereby file this response to the January 3, 2019 correspondence of the Connecticut Department of Energy and Environmental Protection (DEEP) and the Office of Consumer Counsel (OCC). We are extremely concerned that their request would result in a rushed proceeding and could create unintended consequences that state policymakers and legislators will come to regret. In implementing Public Act 18-50 (formerly Senate Bill 9), the Public Utilities Regulatory Authority (PURA) will determine the future of Connecticut's solar industry and the fate of its more than 2,000 workers, and it should give these important issues the full process and consideration they deserve.

The undersigned parties believe that the proposal from DEEP and OCC would have extremely negative practical impacts on the solar industry, including massive job loss. We ask that state agencies follow Connecticut state law Section 16-245ff, which requires that state policies "foster the sustained, orderly development of a state-based solar industry." Representatives of the Connecticut Green Bank, solar industry and independent policy organizations have repeatedly weighed in on these issues, starting with comments on the 2017-2018 Comprehensive Energy Strategy, testimony at the legislature, and participation in the PURA process over the last seven months.¹ However, DEEP has continued to press forward with ideas that we believe are misguided and against constructive policy trends in other states. In fact, the states that have proposed or implemented the policies DEEP is advancing have either experienced significant job loss or have reversed course and are moving to reinstate net metering.²

Instead of rushing to implement flawed policy, state agencies should consider the Lamont-Bysiewicz Administration's desire to avoid a major solar market disruption, promote in-state job creation and provide a smooth transition to a net metering successor program. The process and timeline DEEP and OCC request – for PURA to establish final residential tariffs in the first quarter of 2019 – is

¹ Please see the undersigned parties' submissions to docket 18-08-33 for detailed explanations of our concerns.

² The implementation of "instantaneous netting" in Utah caused significant job loss and reduced residential solar installations by nearly three-fourths. In Maine, former Governor Paul LePage's "buy-all, sell-all" tariff was repeatedly rejected by the state legislature and partially overturned by the public utilities commission (Maine has reinstated net metering for large customers and is expected to reinstate it for all customers this legislative session).

unprecedented. New York, Massachusetts and California have taken three years or longer to study, develop and implement successor programs, and have followed a more data-driven, gradual approach, typically considering time-of-use pricing as a first step. No other state has implemented a net metering successor tariff in the rushed manner proposed by DEEP and OCC.³

Despite the stated need for urgency, PURA has several options to avoid a rushed proceeding. As the Green Bank has stated, it could postpone reaching the RSIP program's 300 MW target, which would provide PURA more time to conduct a proper proceeding.⁴ PURA could also establish an Interim Residential Tariff (IRT) that maintains net metering until the electric distribution companies (EDCs) can implement the full range of netting period options the legislature intended for its consideration in Public Act 18-50. As was revealed in this proceeding, the law's accelerated time frame likely stems from a misunderstanding during the bill's drafting regarding when RSIP would sunset. PURA pursuing these more incremental options will help address this miscalculation and may be essential to avoid a catastrophic gap or "cliff" if the net metering program ends before the EDCs are capable of implementing a successor program.

All parties to the proceeding seem to agree that it should provide an orderly transition and maintain a viable solar industry in Connecticut. We do not believe any participants in this docket, including DEEP and the OCC, intend to harm the solar industry or cause significant job loss, but we are gravely concerned that the current path will produce these results.

We urge PURA to carefully consider all the information in this docket and work to avoid such an outcome.

Sincerely,

Acadia Center
Connecticut Fund for the Environment
Northeast Clean Energy Council
Solar Connecticut
SunPower
Sunrun
Vivint Solar

³ Other states that have considered, or are currently considering, net metering successor programs include California, New York, Massachusetts, Oregon, Idaho, Utah, Michigan, Iowa, Arizona, Arkansas, Maine, New Hampshire and Vermont. No state has developed and implemented a successor program as quickly as is occurring in Connecticut.

⁴ See the Connecticut Green Bank's December 17, 2018 submission to PURA docket 18-08-33, page 2: [http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/87746d9d6202244b85258367004e6151/\\$FILE/CTGB%20IRT%20Response%2012.17.18.pdf](http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/87746d9d6202244b85258367004e6151/$FILE/CTGB%20IRT%20Response%2012.17.18.pdf)